GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

SUITS - Court Cases - PR&RD Department – Permission to implement the orders of Hon'ble Labour Court, Guntur in EP No.17/2016 in ID No.264/1994 filed by Sri Chattu Sivaiah, formerly NMR, PRI Sub-Division, Prathipadu, Guntur by reinstate him into service as NMR, PR in the PRI Sub-division, Prathipadu, Guntur with full backwages and continuity of service – Orders – Issued.

PRANCHAYAT RAJ & RURAL DEVELOPMENT (E.I) DEPARTMENT

G.O.RT.No. 509 **Dated: 16-08-2019**

Read the following:

1. From the ENC (PR), Vijayawada Letter No.Ser.III(2)/NMR/ Ch.Sivaiah/2018, dated:27.02.2018.
2. Govt. Memo. No. 17024/18/2018- Est.I, dt.21.03.2018.
3. From the ENC, PR, Lr. No. Ser.III(2)/NMR/Ch .Sivaiah/2018, dt.24.01.2019.

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In the letters 1st and 3rd read above, the Engineer- in-Chief, Panchayat Raj, AP, Vijayawada has stated that the Superintending Engineer, PR, Guntur has submitted that Sri Chattu Sivaiah, S/o. Tirupataiah, formerly, NMR worked in the Office of PRI Sub-Division, Prathipadu at Guntur for the period from 27.3.1986 to 03.06.1993, while working, authorities terminated his services w.e.f. 04.06.1993, after termination and lapse of nearly one year he approached the Hon'ble Labour Court, Guntur vide ID No.264/94, dt:22.11.1994. The Department responded immediately and apprised the facts on termination of the above petitioner.

2. The Hon'ble Labour Court, Guntur in its award dated 28.8.2000 in ID No.264/94 as follows:

> 'In result, the oral termination of services of the petitioner on 3.6.1993 is set aside, the respondent is directed to reinstate the petitioner into service with full back wages and continuity of service'.

3. The Engineer-in-Chief, PR has further stated that in the absence of rules, the orders of the Labour Court for reinstatement of the services of Sri Ch. Sivaiah as NMR has not implemented and filed appeal before the Hon'ble High Court against the orders of Labour Court in WP No.15298/2000 on 21.8.2000. The Hon'ble High Court of A.P. Hyderabad issued stay orders duly directing the Dept. to pay the back wages under 17-B in ID Act. In obedience to the orders of Hon'ble High Court of A.P., Hyderabad the petitioner has been paying remuneration as per his last drawn wages till to December, 2017. The Hon'ble High Court of AP, Hyderabad vide order dated 21.7.2017 in WP No.15298/2000 while disposing of the said WP has confirmed the orders passed by the Hon'ble Labour Court, Guntur.

4. The petitioner again approached the Hon'ble Labour Court, Guntur and filed new E.P.No.17/2016 in I.D.No.264/94 as the orders of the Hon'ble High Court, Guntur are not implemented by the Department and the E.P.No.17/2016 in I.D.No.264/94, came to force and attached the PRI Sub-divisional property vide attachment dt:15.11.2016 in E.P. No.17/2016 in I.D.No.264/94. The Hon'ble Labour Court, Guntur has also issued notice for conducting open auction to the movable property of PRI Sub-division, Prathipadu at Guntur on 19.02.2018 and the same was postponed.

(contd.P.2)

5. The Engineer – in-Chief, PR, AP has requested the Government to issue necessary orders to reinstate the above petitioner in obedience to implementation of orders of the Hon'ble Labour Court of Guntur as confirmed by the Hon'ble High Court in WP No.15298/2000.

6. The matter has been examined in detail keeping in view of the award passed by the Hon'ble Labour Court, Guntur in Industrial Dispute No. 264/94, dt.28.02.2000 as confirmed by the Hon'ble High Court in its order dt.21.12.2017 in Writ Petition No.15298/2000, Government have decided to implement the above orders. Accordingly, Government hereby permit the Engineer – in-Chief, PR, AP to reinstate Sri Chattu Sivaiah, formerly NMR, PRI Sub- division, Prathipadu, Guntur into service with full backwages and continuity of service in the respective cadre.

7. The Engineer- in-Chief, Panchayat Raj, AP, Vijayawada shall take necessary action in the matter accordingly.

8. This order issues with concurrence of Finance (FMU.PR&RD, RWS) Department vide U.O.No. FMU0PC(PRRD)/7/2019 (Computer No. 849416) dt.20.06.2019.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief, Panchayat Raj, A.P. Vijayawada.
Copy to:
The Finance (FMU.PR&RD, RWS) Department.
The Superintending Engineer, PR, Guntur.
The Pay and Accounts Officer, A.P., Guntur.
The OSD to Minister(PR&RD)
The P.S to Principal Secretary to Government(PR&RD)
SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER